THE HON'BLE MR JUSTICE B.PRAKASH RAO

AND

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.11373 of 2000

14th December 2006

Between:

1. K.Srinivasa Sarma, S/o.K.Sankaraiah, 30 years, R/o.24/68, Vasanthapet Street, Proddatur, Cuddapah District.

And one other.

...PETITIONERS

AND

1. The A.P.Transco, rep.by its Chairman-cum-Managing Director, Vidyut Soudha, Somajiguda, Hyderabad.

And three others.

...RESPONDENTS

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THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.11373 of 2000

ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

The petitioners herein filed this Writ Petition, *inter alia*, assailing the impugned Memo No.DP/DIR/(DM (IR))/P.O.3/4104/-A2/97 dated 14.03.1998 as illegal and arbitrary.

The case of the petitioners, in short, is that they are working as contract labour and entitled to the benefit of B.P.Ms.No.36 dated 18.05.1997 and have been selected accordingly. Earlier, they filed Writ Petition in W.P.No.24609 of 1998 and this Court allowed the same on 25.11.1998. Since the said order was not complied with, the petitioners filed Contempt Case in C.C.No.1577 of 1999. The same was also disposed of on 10.12.1999 with a direction to comply the said orders by granting time.

The case of the petitioners, in brief, in this Writ Petition, is that having regard to the fact that there are no vacancies, their case was rejected. However, as per the impugned memo dated 14.03.1998, the petitioners claim that they are entitled to the said benefit. Hence, the

Writ Petition.

The Writ affidavit and the material filed in support thereof are perused. The fact that there are no vacancies is not in dispute. The directions are given remain as long as no vacancies exist and hence, when there are no vacancies, the question of providing such benefit does not arise. Hence, there are no merits in the Writ Petition.

The Writ Petition is accordingly dismissed. However, in the circumstances, without costs.

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(B.PRAKASH RAO, J)

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(RAMESH RANGANATHAN, J)

14th December 2006

RRB